

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2522 - HB 2762

April 14, 2022

SUMMARY OF BILL AS AMENDED (017485): Codifies the current pay scale practiced in the District Attorney General Conference (DAGC) and the District Public Defenders Conference (DPDC) for assistant district attorneys general (ADAs) and assistant district public defenders (ADPDs).

Removes the cap on prior service credit for private practice of law used to determine entry level compensation for ADAs and ADPDs.

FISCAL IMPACT OF BILL AS AMENDED:

Other Fiscal Impact – The proposed legislation could result in a recurring increase in state expenditures for the District Attorney General Conference and the District Public Defenders Conference. Such increase in expenditures is estimated to range between \$10,000 and \$50,000 per new hire. However, due to multiple unknown factors, the timing and extent of the total recurring increase cannot be quantified with reasonable certainty.

Assumptions for the bill as amended:

District Attorney General Conference

- Tennessee Code Annotated § 8-7-226 establishes the salaries for ADAs.
- The proposed legislation replaces the pay schedule in Tenn. Code Ann. § 8-7-226(a) with the following:

Entry level	\$53,388
after one (1) year	\$56,748
after two (2) years	\$60,084
after three (3) years	\$63,480
after four (4) years	\$66,840
after five (5) years	\$70,164
after six (6) years	\$73,524
after seven (7) years	\$76,908
after eight (8) years	\$80,292

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after nine (9) years	\$83,616
after ten (10) years	\$86,988
after eleven (11) years	\$90,348
after twelve (12) years	\$93,648
after thirteen (13) years	\$97,008
after fourteen (14) years	\$100,356
after fifteen (15) years	\$103,692
after sixteen (16) years	\$107,064
after seventeen (17) years	\$110,100
after eighteen (18) years	\$113,064
after nineteen (19) years	\$115,896
after twenty (20) years	\$118,584
after twenty-one (21) years	\$122,496
after twenty-two (22) years	\$126,528
after twenty-three (23) years	\$130,680
after twenty-four (24) years	\$135,312
after twenty-five (25) years	\$139,908.

- Based on information provided by the DAGC, the salaries above represent the current salaries paid to ADAs and will not have a fiscal impact on the DAGC.
- Pursuant to Tenn. Code Ann. § 8-7-227(2), ADAs are authorized to earn service credits for a maximum of 12 years of prior experience in private law practice.
- The proposed legislation eliminates the 12-year limitation cap for prior service credit used to determine entry level compensation.
- The proposed legislation will result in an increase in state expenditures to the DAGC for any ADA hired after June 1, 2022 who has more than 12 years of prior private law experience. Such increase in expenditures is estimated to range between \$10,000 and \$50,000 per new hire.
- However, due to multiple unknown factors, such as how many new ADAs will be hired per year and how many years of prior private law experience each new ADA may have, the timing and extent of any such increase cannot be quantified with reasonable certainty.

District Public Defenders Conference

- Tennessee Code Annotated § 8-14-107 establishes the salaries for the DPDC.
- The proposed legislation replaces the pay schedule in Tenn. Code Ann. § 8-14-107(b) with the following:

Entry level	\$53,388
after one (1) year	\$56,748
after two (2) years	\$60,084
after three (3) years	\$63,480
after four (4) years	\$66,840
after five (5) years	\$70,164
after six (6) years	\$73,524
after seven (7) years	\$76,908
after eight (8) years	\$80,292
after nine (9) years	\$83,616
after ten (10) years	\$86,988
after eleven (11) years	\$90,348
after twelve (12) years	\$93,648
after thirteen (13) years	\$97,008
after fourteen (14) years	\$100,356
after fifteen (15) years	\$103,692
after sixteen (16) years	\$107,064
after seventeen (17) years	\$110,100
after eighteen (18) years	\$113,064
after nineteen (19) years	\$115,896
after twenty (20) years	\$118,584
after twenty-one (21) years	\$122,496
after twenty-two (22) years	\$126,528
after twenty-three (23) years	\$130,680
after twenty-four (24) years	\$135,312
after twenty-five (25) years	\$139,908.

- Based on information provided solely by the DPDC, the salaries above represent the current salaries paid to public defenders and will not have a fiscal impact on the DPDC.
- Fiscal Review staff cannot confirm the salaries listed above are the current salaries and is unable to independently verify this information.
- Pursuant to Tenn. Code Ann. § 8-14-107(b)(3)(B), ADPDs are authorized to earn service credits for a maximum of 12 years of prior experience in private law practice.

- The proposed legislation eliminates the 12-year limitation cap for prior service credit used to determine entry level compensation.
- The proposed legislation will result in an increase in state expenditures to the DPDC for any ADPDs hired after June 1, 2022 who has more than 12 years of prior private law experience. Such increase in expenditures is estimated to range between \$10,000 and \$50,000 per new hire.
- However, due to multiple unknown factors, such as how many new ADPDs will be hired per year and how many years of prior private law experience each new ADPD may have, the timing and extent of any such increase cannot be quantified with reasonable certainty.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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